

1 Rory Reid
2 Nevada Bar No. 3797
3 I. Scott Bogatz
4 Nevada Bar No. 3367
5 Kerry E. Kleiman
6 Nevada Bar No. 14071
7 REID RUBINSTEIN & BOGATZ
8 Bank of America Plaza
9 300 South 4th Street, Suite 830
10 Las Vegas, NV 89101
11 Telephone: (702) 776-7000
12 Facsimile: (702) 776-7900
13 rreid@rrblf.com
14 sbogatz@rrblf.com
15 kkleiman@rrblf.com

9 Bryan A. Merryman (*Pro Hac Vice*)
10 Catherine S. Simonsen (*Pro Hac Vice*)
WHITE & CASE LLP
11 555 S. Flower Street, Suite 2700
Los Angeles, CA 90071-2433
12 Telephone: (213) 620-7700
Facsimile: (213) 452-2329
13 bmerryman@whitecase.com
catherine.simonsen@whitecase.com

14 Claire DeLelle (*Pro Hac Vice*)
15 Celia McLaughlin (*Pro Hac Vice*)
16 WHITE & CASE LLP
17 701 Thirteenth Street, NW
18 Washington, DC 20005-3807
Telephone: (202) 626-3600
Facsimile: (202) 639-9355
claire.delelle@whitecase.com
cmclaughlin@whitecase.com

19 *Attorneys for Plaintiff
V5 Technologies, LLC, d/b/a Cobalt Data Centers*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

23 V5 TECHNOLOGIES, LLC, d/b/a
COBALT DATA CENTERS.

24 Plaintiff,

25 || v.

26 || SWITCH, LTD., et al.,

Defendants.

Case No. 2:17-cv-02349-KJD-NJK

STIPULATION TO (1) EXTEND DEADLINE TO FILE DISPOSITIVE MOTIONS FROM JANUARY 24 TO FEBRUARY 24, 2020; (2) ALIGN DISPOSITIVE AND DAUBERT MOTION BRIEFING SCHEDULES; AND (3) EXTEND DEADLINE TO FILE PRETRIAL ORDER FROM FEBRUARY 24 TO MARCH 25, 2020

1 Pursuant to Federal Rule of Civil Procedure 16(b)(4), plaintiff V5 Technologies, LLC,
2 d/b/a/ Cobalt Data Centers (“Cobalt”) and defendant Switch, Ltd. (“Switch”), by and through their
3 counsel, hereby submit the following stipulation and proposed order to (1) extend the deadline to
4 file dispositive motions from January 24, 2020, to February 24, 2020; (2) align the dispositive and
5 Daubert motion briefing schedules; and (3) extend the deadline to file the proposed joint pretrial
6 order from February 24, 2020, to March 25, 2020, or, if dispositive motions are filed, 30 days after
7 decision on dispositive motions:

8 WHEREAS the current deadline to file dispositive motions is January 24, 2020; the current
9 deadline to file Daubert motions is February 24, 2020; and the current deadline to file the proposed
10 joint pretrial order is February 24, 2020, or, if dispositive motions are filed, 30 days after decision
11 on dispositive motions (*see* ECF No. 79 at 4; ECF No. 81; LR 26-1(b)(5));

12 WHEREAS Local Rule 7-2(b) provides that the deadline to file and serve any points and
13 authorities in response to a motion for summary judgment is 21 days after service of the motion,
14 and the deadline to file and serve any reply in support of a motion for summary judgment is 14
15 days after service of the response; and for all other motions, the deadline to file and serve any
16 points and authorities in response to the motion is 14 days after service of the motion, and the
17 deadline to file and serve any reply in support of the motion is seven days after service of the
18 response;

19 WHEREAS the parties are working diligently to schedule depositions of experts in the time
20 period between Cobalt’s service of its expert reply reports on December 26, 2019 and the current
21 dispositive motions deadline of January 24, 2020, but are encountering difficulties in scheduling all
22 three depositions of Cobalt’s three experts, and all eight depositions of Switch’s eight experts, for
23 this one-month period, particularly in light of the intervening holiday;

24 WHEREAS extending the dispositive motions deadline to February 24, 2020, would assist
25 the parties in scheduling all eleven expert depositions prior to the dispositive motions deadline;

26 WHEREAS plaintiff and/or defendant may file a motion for summary judgment that refers
27 or turns on the Court’s ruling on one or more Daubert motions anticipated to be filed by the same
28 party, and extending the deadline to file dispositive motions to the same date as the deadline to file

1 Daubert motions, and aligning the Daubert motion briefing schedule with the summary judgment
2 motion briefing schedule, would allow for coordination and cross-referencing, and for the motions
3 to be briefed and considered by the Court on the same timeline;

4 THEREFORE, the parties respectfully submit that good cause exists for, and request that
5 the Court enter, an order:

6 (1) Extending the deadline to file dispositive motions from January 24, 2020, to February
7 24, 2020;

8 (2) Extending the deadline to file and serve any points and authorities in response to any
9 Daubert motion to 21 days after service of the motion, and the deadline to file and
10 serve any reply in support of the motion to 14 days after service of the response; and
11 (3) Extending the deadline to file the proposed joint pretrial order from February 24,
12 2020, to March 25, 2020 (30 days after the extended dispositive-motion deadline, *see*
13 LR 26-1(b)(5)), or, if dispositive motions are filed, 30 days after decision on
14 dispositive motions.

15 Dated: December 18, 2019

By: Rory Reid

Rory Reid (Nevada Bar No. 3797)

I. Scott Bogatz (Nevada Bar No. 3367)

Kerry E. Kleiman (Nevada Bar No. 14071)

REID RUBINSTEIN & BOGATZ

Bank of America Plaza

300 South 4th Street, Suite 830

Las Vegas, NV 89101

Telephone: (702) 776-7000

Facsimile: (702) 776-7900

rreid@rrblf.com

sbogatz@rrblf.com

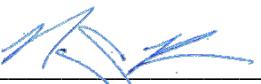
kkleiman@rrblf.com

IT IS SO ORDERED.

Dated: December 19, 2019

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Nancy J. Koppe

United States Magistrate Judge

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Bryan A. Merryman (*Pro Hac Vice*)

Catherine Simonsen (*Pro Hac Vice*)

WHITE & CASE LLP

555 S. Flower Street, Suite 2700

Los Angeles, CA 90071-2433

Telephone: (213) 620-7700

Facsimile: (213) 452-2329

bmerryman@whitecase.com

catherine.simonsen@whitecase.com

1 Claire DeLelle (*Pro Hac Vice*)
2 Celia McLaughlin (*Pro Hac Vice*)
3 **WHITE & CASE LLP**
4 701 Thirteenth Street, NW
5 Washington, DC 20005-3807
6 Telephone: (202) 626-3600
7 Facsimile: (202) 639-9355
8 claire.delelle@whitecase.com
9 cmclaughlin@whitecase.com

10 Attorneys for Plaintiff
11 V5 TECHNOLOGIES, LLC, d/b/a COBALT
12 DATA CENTERS

13 Dated: December 18, 2019

14 By: Jacob A. Reynolds
15 Mark Hutchison (Nevada Bar No. 4639)
16 Jacob A. Reynolds (Nevada Bar No. 10199)
17 Cynthia Milanowski (Nevada Bar No. 5652)
18 Chad Harrison (Nevada Bar No. 13888)
19 HUTCHISON & STEFFEN, PLLC
20 Peccole Professional Park
21 10080 West Alta Drive, Suite 200
22 Las Vegas, Nevada 89145
23 Telephone: (702) 385-2500
24 Facsimile: (702) 385-2086
25 mhutchison@hutchlegal.com
26 jreynolds@hutchlegal.com
27 cmilanowski@hutchlegal.com
28 charrison@hutchlegal.com

29 David A. Higbee (*Pro Hac Vice*)
30 Djordje Petkoski (*Pro Hac Vice*)
31 SHEARMAN & STERLING LLP
32 Shearman & Sterling LLP
33 401 9th Street NW, Ste 800
34 Washington, D.C. 20004
35 Telephone: (202) 508-8000
36 david.higbee@shearman.com
37 djordje.petkoski@shearman.com

38 Samuel Castor (Nevada Bar No. 11532)
39 Anne-Marie Birk (Nevada Bar No. 12330)
40 **SWITCH, LTD.**
41 7135 S. Decatur Blvd.
42 Las Vegas, NV 89118
43 Telephone: (702)-444-4102
44 sam@switch.com
45 abirk@switch.com